

**UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

NETLIST, INC.,)	
)	
Plaintiff,)	
)	Case No. 2:22-cv-203-JRG
vs.)	
)	JURY TRIAL DEMANDED
MICRON TECHNOLOGY, INC.;)	
MICRON SEMICONDUCTOR)	
PRODUCTS, INC.; MICRON)	
TECHNOLOGY TEXAS LLC,)	
)	
Defendants.)	

**DECLARATION OF JASON G. SHEASBY IN SUPPORT OF
PLAINTIFF NETLIST, INC.'S OPPOSITION TO MICRON'S MOTION TO
STRIKE EXPERT REPORT OF DR. BROGIOLI**

I, Jason G. Sheasby, declare as follows:

1. I am an attorney at the law firm of Irell & Manella LLP, counsel of record for Plaintiff Netlist, Inc. (“Netlist”) in the above-captioned action. I am a member in good standing of the State Bar of California and have been admitted to practice *pro hac vice* before this Court in this action. I provide this declaration in support of Netlist, Inc.’s Opposition to Micron’s Motion to Strike Expert Report of Dr. Brogioli. I have personal knowledge of the facts stated herein, and could and would testify completely thereto if called as a witness in this matter.

2. Attached as **Exhibit 1** is a true and correct excerpted copy of the transcript of the Pretrial Conference, Vol. 2, from *Netlist Inc. v. Samsung Elecs. Co., Ltd.*, No. 2:21-cv-463 (E.D. Tex.).

3. Attached as **Exhibit 2** is a true and correct copy of a document produced in this litigation, bearing bates numbers NETLIST_SAMSUNG_EDTX00054760-839.

4. Attached as **Exhibit 3** is a true and correct copy of a document produced in this litigation, bearing bates numbers NL-MIC-203_00042085-147.

5. Attached as **Exhibit 4** is a true and correct copy of an email produced in this litigation, bearing bates numbers NL-MIC-203_00042083-84.

6. Attached as **Exhibit 5** is a true and correct excerpted copy of the deposition transcript of Noel Whitley, dated February 3, 2017.

7. Attached as **Exhibit 6** is a true and correct excerpted copy the deposition transcript of Chuck Hong, dated September 20, 2023.

8. Attached as **Exhibit 7** is a true and correct excerpt of the deposition transcript of Scott Milton, dated September 1, 2023.

9. Attached as **Exhibit 8** is a true and correct copy of the Declaration of Noel Whitley, dated November 27, 2023.

10. Attached as **Exhibit 9** is a true and correct copy of the April 5, 2023 order on

pretrial motions and motion in *limine* from *Netlist Inc. v. Samsung Elecs. Co., Ltd.*, No. 2:21-cv-463 (E.D. Tex.).

11. Attached as **Exhibit 10** is a true and correct copy of an email from Micron’s counsel Ryuk Park, dated April 4, 2023.

12. Attached as **Exhibit 11** is a true and correct excerpted copy *Markman* Hearing transcript in *Netlist Inc. v. Samsung Elecs. Co., Ltd.*, No. 2:21-cv-463 (E.D. Tex.).

13. Attached as **Exhibit 12** is a true and correct copy of U.S. Pub. No. 2008/0025137 (“Rajan”).

14. Attached as **Exhibit 13** is a true and correct excerpted copy of the Trial Transcript, Vol. 2, from *Netlist Inc. v. Samsung Elecs. Co., Ltd.*, No. 2:21-cv-463 (E.D. Tex.).

15. Attached as **Exhibit 14** is a true and correct excerpted copy of the *Markman* Hearing transcript in *Netlist Inc. v. Micron Tech., Inc., et al.*, No. 2:22-cv-203 (E.D. Tex.).

16. Attached as **Exhibit 15** is a true and correct excerpted copy of the supplemental expert report of Dr. Brogioli from *Netlist Inc. v. Samsung Elecs. Co., Ltd.*, No. 2:21-cv-463 (E.D. Tex.).

17. Attached as **Exhibit 16** is a true and correct excerpted copy of the deposition transcript of Roman Royer, dated September 19, 2023.

18. Attached as **Exhibit 17** is true and correct copy of a document produced in this litigation, bearing bates number MICN L203-00219845.

19. Attached as **Exhibit 18** is true and correct copy of a document titled, “DDR3 High Density DIMMs and 3DS.”

20. Attached as **Exhibit 19** is true and correct excerpted copy of Netlist’s Preliminary Infringement Contentions, Exhibit E.

21. Attached as **Exhibit 20** is true and correct excerpted copy of Netlist’s Second Supplemental Responses and Objections to Defendants’ First Set of Interrogatories.

22. Attached as **Exhibit 21** is true and correct excerpted copy of the deposition transcript of John Halbert, dated September 30, 2023.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on November 28, 2023, in Los Angeles, California.

By /s/ Jason G. Sheasby
Jason G. Sheasby